

# Ohio | Department of Rehabilitation & Correction

John R. Kasich, Governor  
Gary C. Mohr, Director

October 7, 2013

Sheriff Jim Neil  
Hamilton County Sheriff's Office  
1000 Sycamore Street  
Cincinnati, Ohio 45202

J.K.P.  
OCT 29 2013

RE: 2013 Annual Jail Inspection – Full-Service Jail

Dear Sheriff Neil:

In accordance with Section 5120.10 of the Ohio Revised Code and Executive Order 92-03 of the Department of Rehabilitation and Correction, the Hamilton County Jail, a full-service facility, was inspected on September 12, 2013. The inspection was restricted to assessing compliance with a group of sixty-eight (69) standards, selected from the Minimum Standards for Jails in Ohio promulgated by the Ohio Department of Rehabilitation & Correction. The group of standards being inspected focused on reception, classification, security, housing, sanitation and environmental conditions, medical, food service, recreation, administrative segregation, staffing, and staff training. Please note that this inspection does not reflect a comprehensive evaluation of the overall jail condition. The inspection consisted of this Inspector receiving and/or reviewing requested documentation and/or materials, touring selected areas of the jail, and having a brief interview with Captain Daniel E. Scheffler.

The total actual housing capacity for the Hamilton County Jail is (1513), consisting of (0) adult males, (0) adult females, (0) mixed (either adults or juveniles), and (0) special housing beds. On the date of the jail inspection, there were (1288) inmates incarcerated in the Hamilton County Jail. Division recommended housing capacity for the jail is (865), which is based upon total available living space and other requirements. Officials must maintain prisoner counts within the Division recommended capacity figure. The Hamilton County Jail is in compliance with the following standards:

5120:1-8-02 (B)(1); -03 (A)(1,4); -04 (C)(2); -05(C), (D), (E)(1-2), (H); -09 (D), (E), (H), (I)(2), (L)(1,5); (M), (R); -10 (C); -11 (C); -15 (F); -17 (D).

The Hamilton County Jail did not comply with (48) of the standards upon which the facility was inspected. This letter is intended to serve as a basis for developing plans of action for bringing the facility into compliance with the deficiencies noted during the inspection. In this regard, the Division makes the following recommendations:

5120: 1-8-01(A)(6): Jail officials must take the steps to ensure jail staff are health trained to complete the preliminary health screening forms. The training must be provided by or approved by the medical staff. The jail physician must approve all medical policies and protocols used at the county jail. No training records were available for review on the date of the annual jail inspection.

5120: 1-8-01(A)(12)(a-c): Steps must be taken to reduce the number of prisoners being housed in the jail facility. On the date of the inspection, female prisoners were observed sleeping on the jail floor in a female housing unit with only a blanket. In addition, two male inmates were identified who were incarcerated for more than 12 hours that were not provided a mattress, linens or hygiene items. The male inmates were housed in the jail classification unit. Also, numerous mattresses were found to be unserviceable and should be replaced as soon as practical. Damaged mattresses pose a public health risk, as well as are a security concern.

5120: 1-8-01(A)(13): The jail policy relating to the dissemination of the inmate rules must be updated to ensure inmates will be provided a translator and/or assistance if they have a language or literacy barriers.

5120: 1-8-02(B)(2): Steps must be taken to develop and implement a policy and procedure requiring violent and non-violent offenders to be held/housed separate from one another.

5120: 1-8-02(B)(3): Action must be taken to ensure male and female inmates are supervised if placed together for inmate worker related duties. In the area deemed "North 31" by jail staff, a male and female prisoner were observed working in an area separated only by a "brown" curtain. The inmates could easily talk with one another when a staff member was not present in this area. A housing unit officer was observed in a control room but there was no way they could hear verbal interaction between the inmates. This classification violation was witnessed by two state jail inspectors and is a serious violation under the Minimum-Standards for Jails in Ohio. This practice must cease immediately.

5120: 1-8-02(B)(4): Steps must be taken to develop and implement a policy and procedure requiring juvenile offenders to be separated in a manner consistent with section 2151.312 of the Revised Code.

5120: 1-8-03(A)(2): The age and layout of the existing facility does not provide an effective secure booking and release area. The elevators in the jail booking area can be accessed by inmate workers who can travel to all floors in the jail security perimeter. This poses a serious security concern for both staff and inmates housed in the facility.

5120: 1-8-03(A)(5): Steps must be taken to install a two-way communication system between all staffed posts and prisoner holding/housing areas. Several cells were identified in the booking area that did not provide any two-way communications capability. There is no way for prisoners in these cells to summon staff in the event of a medical emergency. Also, some call buttons were inoperative on the date of the jail inspection. The use of these cells should cease until such time that a two-way communication system is installed and/or is operating correctly.

5120: 1-8-03(B)(6): Steps must be taken to ensure jail staff completes an official count on every shift to verify the number of prisoners being housed in the facility. On the date of the inspection, several logs were checked that evidenced staff were not properly documenting official headcounts as mandated by state law.

5120: 1-8-03(B)(7): Steps must be taken to ensure jail staff are completing personal observation checks of prisoners every sixty minutes. The checks must be documented at varying times in the jail logs. Documents viewed on the inspection date evidenced that jail staff are not completing the checks as mandated by state law.

5120: 1-8-03(B)(10)(a): Steps must be taken to amend the current policies and procedures relating to weekly security and contraband inspections. The policy must ensure that jail shakedowns are documented in accordance with jail security protocol.

5120: 1-8-03(B)(13)(f): Action must be taken to ensure jail staff do not use security perimeter keys except in an emergency. These keys should be kept in a secure location outside the jail security perimeter. The policy relating to jail perimeter keys must be forwarded for review.

5120: 1-8-04(A)(2)(b): Steps must be taken to reduce the number of beds at the facility. Double occupancy cells must provide housed prisoners with a minimum of 100 sq. ft. for stacked bunks and 110 sq. ft. for single beds. The required amount of space is not being provided to inmates housed in double occupancy cells. Inspectors measured several cells in the facility that did not meet state requirements for housing multiple inmates together. The cells that were double bunked measured approximately 80 sq. ft. per cell. The additional bunks must be removed to bring the facility back into compliance with state jail standards.

5120: 1-8-04(A)(3)(a): Steps must be taken to ensure prisoner numbers are maintained at approved levels. Inmates were observed sleeping on the jail floor in celled housing units. By doing so, the administration has created a dormitory in celled unit. These additional beds encroach on the available day and living spaces for every inmate in these areas. Inmates housed in dormitories must be provided with at least 50 sq. ft. of space per prisoner. The facility is over-crowded and the practice of housing inmates in the day spaces of celled housing units should cease immediately.

5120: 1-8-04(A)(4)(a): Steps must be taken to ensure prisoner numbers are maintained at approved levels. Prisoners housed in dormitories and celled housing units are not provided the required 35 sq. ft. of day space per prisoner.

5120: 1-8-04(B): Steps must be taken to ensure seating is provided in all holding areas, holding cells, housing cells, dormitories, dayrooms and eating areas for each prisoner. There were not enough seats for the number of inmates being housed in the county jail.

5120: 1-8-04(C)(3): State law requires that inmates be provided access to an operable flush toilet and lavatory with hot and cold water on a twenty-four hour a day basis without staff assistance. Inmates were observed being held/housed in holding cells that did not provide access to toilets and lavatories. The practice of holding/housing inmates in cells that do not meet state mandates should cease immediately.

5120: 1-8-04(E): Steps must be taken to ensure natural light is available in all housing units, dorms, cells and day spaces. Inmates housed in holding cells are not provided access to natural light. Inspectors found some inmates were being housed in holding cells after 12 hours. The jail booking staff did not have a good mechanism to track the amount of time inmates were being held in the jail reception and release area. Emphasis should be placed on classifying and housing inmates in less than 12 hours.

5120: 1-8-05(A)(3): Steps must be taken replace improperly installed or damaged equipment in the jail booking area. Several issues were noted and relayed to Captain Scheffler during our walk-through (air purifier).

5120: 1-8-05(F)(1-5): Steps must be taken to develop and implement new policies and procedures relating to jail staff ensuring that inmate laundry and mattress cleaning is done in accordance with state law. No jail logs showing compliance were available for review on the date of the annual jail inspection.

5120: 1-8-05(K): Action must be taken to ensure the facility is inspected by a local or state fire official every 12 months. No fire inspection report was available on the date of the jail inspection.

5120: 1-8-05(L): Action must be taken to ensure a local or state fire official approves of the fire-safety plan used at the Hamilton County Jail. The plan must be reviewed and approved on an annual basis.

5120: 1-8-05(L)(2): Action must be taken to ensure fire drills are completed as mandated by the Minimum Standards for Jails in Ohio. Fire drills must be completed every three months on each shift so that 12 drills are conducted annually. The documents reviewed on the date of the inspection were not tracked properly. Information obtained on the date of the inspection led to the conclusion that jail staffing shortages are a contributing factor for not complying with this state standard.



5120: 1-8-09(A), (B): Action must be taken to forward documentation evidencing that jail physician is licensed to practice medicine in Ohio. Also, written verification must be forwarded that shows the jail physician has reviewed and approved of all medical protocol used at the facility.

5120: 1-8-09(L)(3): The administration must ensure the jail pharmacy is secured when not in use by the medical staff. On the date of the jail inspection, the pharmacy was left unsecured with inmate workers in the area. The secure storage of all medications, controlled substances, syringes and needles must be paramount. The officer in the medical control center was not vigilant to the actions of the inmate workers in the area on the date of audit.

5120: 1-8-09(O): Steps must be taken to amend the current policies and procedures governing the care and treatment of prisoner's with mental health concerns. The policy must ensure that prisoner's evidencing signs of mental illness or developmental disability to be *immediately* referred to qualified mental health personnel.

5120: 1-8-09(P): Action must be taken to ensure jail staff is completing annual suicide prevention training. No training records were available for review on the date of the jail inspection for calendar year 2012. Also, jail staff are not properly maintaining/tracking records relating to ten minute personal observation checks being completed on inmates identified as being suicidal. Logs reviewed on the date of the inspection showed times exceeding ten minutes for prisoners who were on watch on that date.

5120: 1-8-10(A): Steps must be taken to correct the deficiencies noted on the annual food service inspection report.

5120: 1-8-11(A): Steps must be taken to ensure jail staff are tracking inmate recreation times. No logs were available for review that showed inmates are receiving five hours of recreation time per week.

5120: 1-8-11(B): Steps must be taken to purchase more table games for the inmate population.

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5120: 1-8-17(D)(2): Steps must be taken to ensure the jail has enough security staff to safely and effectively manage the Hamilton County Jail. Information obtained on the date of the jail inspection led to the conclusion that there is not enough security staff to safely operate the jail. On third shift, one staff member performs checks on multiple floors with no back-up assistance. In the event of an emergency, additional staff has to use elevators to reach and assist the officer assigned to perform jail security functions on this particular shift. Also, jail inmate workers roam the facility without effective supervision. This poses a serious security risk to both staff and inmates. The administration must ensure there is enough staff for administration and supervision; prisoner programs, custody and back-up, support services including medical, food service, maintenance and clerical, staff training; and other jail related functions.

5120: 1-8-18(A)(1): Steps must be taken to ensure jail support staff is receiving training in agency policies and procedures prior to assignment to jail duties. Training records must be forwarded for review that shows full compliance with this standard. Information obtained on the date of the annual jail inspection evidenced that support staff is not completing this mandated training.

5120: 1-8-18(A)(2): Steps must be taken to ensure jail support staff is receiving 40 hours of training during their first year of assignment including: legal aspects of corrections, security concepts, emergencies, interpersonal communications, Minimum Standards for Jails in Ohio, unarmed self-defense and first-aid/CPR. Information

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